

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

58768.000007

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/531996

INTERNATIONAL APPLICATION NO.

PCT/05/07201

INTERNATIONAL FILING DATE

March 7, 2005

PRIORITY DATE CLAIMED

March 5, 2004

TITLE OF INVENTION

PARTICULATE MATERIALS AND COMPOSITIONS FOR RADIO THERAPY

APPLICANT(S) FOR DO/EO/US

Yongren Benjamin PENG; Xingye Cherry LEI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A Preliminary Amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Copy of the International Application as Filed

U.S. APPLICATION NO. (SEE 37 CFR 1.53) 107531996 To Be Assigned	INTERNATIONAL APPLICATION NO. PCT/05/07201	ATTORNEY'S DOCKET NUMBER 58768.000007
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21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input checked="" type="checkbox"/>	a) Basic National Fee	\$ 150.00		\$ 150.00	
<input checked="" type="checkbox"/>	b) Examination Fee	\$ 100.00		\$ 100.00	
<input checked="" type="checkbox"/>	c) Search Fee	\$ 50.00		\$ 50.00	
TOTAL OF ABOVE CALCULATIONS			\$300.00	\$ 300.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100	/50		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	35 =	15	x \$ 25.00	\$ 375.00	
Independent claims	2 =	0	x \$100.00	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 675.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 675.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 675.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 675.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$675

- a. ☒ A check in the amount of \$675.00 to cover the above fees is enclosed.
- b. ☐ Please charge Deposit Account No. 50-0206 in the amount of _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0206 A duplicate copy of this sheet is enclosed.
1. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

<p>CUSTOMER NO. 21967</p> <p>Intellectual Property Department Hunton & Williams LLP 1900 K Street, N.W.; Suite 1200 Washington, DC 20006-1109 (202) 955-1500 (telephone) (202) 778-2201 (facsimile)</p>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"> </div> <p>SIGNATURE</p> <p>Robert M. Schulman and Alexander H. Spiegler</p> <p>NAME</p> <table style="width:100%;"> <tr> <td style="width:60%;">31,196 and 56,625</td> <td style="width:40%;">April 20, 2005</td> </tr> <tr> <td>REGISTRATION NUMBER</td> <td>DATE</td> </tr> </table>	31,196 and 56,625	April 20, 2005	REGISTRATION NUMBER	DATE
31,196 and 56,625	April 20, 2005				
REGISTRATION NUMBER	DATE				

INTELLECTUAL PROPERTY DEPARTMENT
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File No: 58768.000007

April 20, 2005

In re application of:)	
)	
Yongren Benjamin PENG et al..)	Group Art Unit: Not Yet Assigned
)	
Serial Number: Not Yet Assigned)	Examiner: Not Yet Assigned
)	
Filed: April 20, 2005)	Confirmation No. Not Yet Assigned

For: PARTICULATE MATERIALS AND COMPOSITIONS FOR RADIOTHERAPY

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith in the above-identified application are:

- *Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371
- *Preliminary Amendment Under 37 C.F.R. § 1.115
- *Declaration and Power of Attorney for Patent Application (Executed)
- *Copy of the International Application as filed - Specification (37 pages), Claims (4 pages, numbered 1-35), Abstract (1 page), Drawings (14 pages, Figs 1-10)
- *A check in the amount of \$675.00 for National Phase filing fee

Fees have been calculated as shown below:

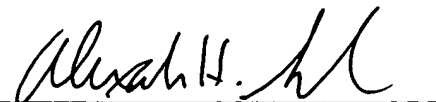
- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | No additional fee is required. |
| <input checked="" type="checkbox"/> | A check in the amount of \$675.00 is attached. |
| <input type="checkbox"/> | Charge \$ ____ to Deposit Account No. 50-0206. |
| <input type="checkbox"/> | Charge any additional fees or credit any overpayment to Deposit Account No. 50-0206. |

TOTAL FEE DUE

\$675.00

Respectfully submitted,

By:



Alexander H. Spiegler
Registration No. 56,625

RMS/AHS:sac